

2011 Jr1 DRAFTING REQUEST

Assembly Amendment (AA-SB1)

Received: **01/20/2011**

Received By: **phurley**

Wanted: **As time permits**

Companion to LRB:

For: **Anthony Staskunas (608) 266-0620**

By/Representing:

May Contact:

Drafter: **phurley**

Subject: **Courts - evidence**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Staskunas@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Federal expert rules for civil cases only

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	phurley 01/20/2011	jdye 01/20/2011		_____ _____			
/1			phenry 01/20/2011	_____ _____	lparisi 01/20/2011	lparisi 01/20/2011	

FE Sent For:

<END>

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/?	phurley	1/20 JLD	PH	PH/K			

FE Sent For:

<END>



State of Wisconsin
2011 - 2012 LEGISLATURE

January 2011 Special Session



LRB:004941
PJH:nwr:md

NOW

ASSEMBLY AMENDMENT ⁹10,
TO ASSEMBLY BILL 1

stays

a0237/1

SENATE

January 18, 2011 - Offered by COMMITTEE ON JUDICIARY AND ETHICS

delete the
material
inserted by
item 3 of
senate
amendment 1
and substitute

1 At the locations indicated, amend the bill as follows:

2 1. Page 28, line 5: after "907.02 (1)" insert "or 907.025 (1)".

3 2. Page 28, line 5: after that line insert:

4 "SECTION 34g. 907.02 (title) of the statutes is amended to read:

5 907.02 (title) Testimony by experts; civil actions."

6 3. Page 28, line 6: Delete lines 6 to 17 and substitute

7 "SECTION 34m. 907.02 of the statutes is renumbered 907.02 (1) and amended

8 to read:

9 907.02 (1) If In a civil action, if scientific, technical, or other specialized
10 knowledge will assist the trier of fact to understand the evidence or to determine a
11 fact in issue, a witness qualified as an expert by knowledge, skill, experience,
12 training, or education, may testify thereto in the form of an opinion or otherwise, if
13 the testimony is based upon sufficient facts or data, the testimony is the product of

1 reliable principles and methods, and the witness has applied the principles and
2 methods reliably to the facts of the case."✓

3 **4.** Page 28, line 22: after that line insert:

4 "SECTION 37m.✓ 907.025 of the statutes is created to read:

5 **907.025 Testimony by experts; criminal and civil forfeiture actions.**✓ (1)

6 In a criminal or civil forfeiture action, if scientific, technical, or other specialized
7 knowledge will assist the trier of fact to understand the evidence or to determine a
8 fact in issue, a witness qualified as an expert by knowledge, skill, experience,
9 training, or education, may testify thereto in the form of an opinion or otherwise.✓

10 (2) Notwithstanding sub. (1),✓ the testimony of an expert witness may not be
11 admitted if the expert witness is entitled to receive any compensation contingent on
12 the outcome of any claim or case with respect to which the testimony is being
13 offered."✓

14 **5.** Page 30, line 25: (delete "and 907.02 (1) (a), (b), and (c) and (2)" and
15 substitute "907.02 (2), and 907.025"✓

it stays
(END)

907.01(3),

#. Page 30, line 25: before "of the statutes"
insert ", and 907.025".